# GOVERNMENT OF INDIA
# PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
# LOK SABHA

UNSTARRED QUESTION NO:58
ANSWERED ON:18.02.2003
EXTENSION RE EMPLOYMENT OF GOVERNMENT EMPLOYEES
SRIPRAKASH JAISWAL

**Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:**

(a) whether the Government have framed any guidelines with regard to the grant of extension in service/re-employment of officers after their retirement;

(b) if so, the details of such guidelines;

(c) whether these guidelines are not being followed and the officers are being granted extension or re-employment;

(d) if so, the reasons for not following guidelines;

(e) whether any representations have been received from the serving officers about the grant of extension/re-employment which is affecting their carrier prospect during the last one year;

(f) if so, the details thereof;

(g) whether Government propose to dispense with the practice of giving extension/re-employment after retirement;

(h) if not, reasons therefor;

(i) whether the Government are reviewing the policy of grant of extension or re-employment of the retiring Government employees; and

(j) if so, the details thereof and the reasons for initiating changes?

## Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERS( PUBLIC GRIEVANCES AND PENSIONS. (SHRI HARIN PATHAK)

(a) to (d): The guidelines issued prior to increase in the retirement age from 58 years to 60 years regarding grant of extension/re-employment have been revised in line with the provisions of fundamental rules 56 (d). Under the existing guidelines there is no provision for re-employment. A copy of the revised guidelines issued vide Government of India Office Memorandum No.26012/6/2002-Estt. (A) Dated 9th December, 2002 is laid on the table of the House. Proposals for grant of extension to specialists in medical and scientific fields and others are considered by the competent authorities.

(e) & (f): The information is not centrally maintained.

(g) to (j): As these guidelines have been issued as per the provisions of FR 56 (d), there is no proposal to review the policy for the present.

OFFICE MEMORANDUM NO. 26012/6/2002-ESTT.(A) DATED 9.12.2002 REFERRED TO IN REPLY TO PART (B) OF THE SABHA UNSTARRED QUESTION NO. 58 FOR 18.2.2003.

No. 26012/6/2002Estt. (A)

Government of India
Ministry of Personnel, P.G. & Pensions

(Department of Personnel & Training)

New Delhi, dated 9th December, 2002

OFFICE MEMORANDUM

Subject:- Grant of extension/re-employment to Central Government servants beyond the age of superannuation - issue of instructions regarding.

The undersigned is directed to say that the criteria for grant of extension/re-employment to Central Government employees beyond the age of superannuation are laid down in the DoPT O.M. No. 26011/1/77-Estt. (B) dated the 18th May, 1977 After May, 1998 and when the age of retirement of the Central Government employees increased from 58 to 60 years, some of the instructions contained in the O.M. dated 18th May 1977 referred to above have lost their relevance. Accordingly, it has been decided to revise the instructions relating to extension/re-employment to Central Government employees.

2. In the absence of specific orders to the contrary by the competent authority, a Government servant must retire on the due date. The date of superannuation of a Government servant is known in advance and ordinarily there should not be a question of failure to make arrangements for his release sufficiently in advance. It is the responsibility of the administrative authority concerned to ensure that the Government servants under their control retire on the due date.

3. Extension: F.R. 56 (d) states that no Government servant shall be granted extension of service beyond the age of 60 years. However, provisions exist in the rules to grant extension of service to certain category of Government servants only. Therefore, it must be ensured that no Ministry/Department should propose to grant extension in service unless the case is covered by the Rules.

4. The proposal for grant of extension in service to the categories of personnel referred to in the first, second and third proviso to F.R. 56 (d) shall be referred to the Estt. Division of Department of Personnel and Training two months prior to the date on which the individual concerned is due for superannuation. The procedure for grant of extension to the Scientists is laid down in DoPT d.o. letter No. 28/19/2000-EO(SM-II) dated the 10th July, 2000.

5. Procedure for consideration of cases for extension of specialists in the medical and scientific fields:-

It should be appreciated that even in the case of extension to specialist in the medical or scientific fields, it is not only the next man who misses promotion but often several people miss consequential promotions all along the hierarchy. Thus, too many cases of extension in service or re-employment are likely to cause frustration and affect the morale of the upcoming scientists who have exposure to latest technological developments in connecting fields. Keeping in view these circumstances, the following criteria and procedure has been evolved with a view to ensure that extensions in service to the superannuating scientists are resorted to only in really exceptional circumstances. The overriding consideration for the grant of extension is that it must be in the public interest and in addition satisfy one of the following two conditions:-

i) that the retiring specialist is not just one of the of outstanding officers but is really head and shoulders above the rest; or

(ii) that other specialists are not ripe enough to take over the job.

Test (ii) would be satisfied only if there is shortage in particular specialization, or if it is not possible to find a suitable successor or if the specialist is engaged on a work or project of vital importance, which is likely to produce results in a year or two. If specialists in the next lower post are not eligible for promotion on the ground that they have not put in the minimum service in the lower grade prescribed under the rules, no promotions can be made to the higher grade, unless such specialists put in the requisite length of service. But specialists who are eligible for promotion to the post against which extension is recommended, should not be rejected solely on the ground that they do not have as much experience as the retiring specialist. They should be considered for promotion according to the recruitment rules and if they are found suitable they should be promoted to the posts being vacated by the retiring specialists.

6. Whenever any specialist is considered for grant of extension, his character roll and personal file should be carefully scrutinized and all other relevant information that may be available should be taken into account to judge whether the specialist had good reputation for integrity and honesty. In cases where the specialist is not considered to have good reputation for integrity and honesty, he should not be considered for grant of extension in service. The appropriate authority in the Administrative Ministry should furnish a certificate of Integrity along with the Annexure-I as follows where it proposes to grant extension of service.

`Having scrutinised in character roll and personal file of Shri/Smt./Kum._____and having taken into account all other relevant available information, I certify that he/she has a good reputation for integrity and honesty.`

7. While making proposals for extension of service in higher posts, it is all the more necessary to apply higher standards of efficiency to persons whose appointments to the higher posts are recommended for approval of the Appointments Committee of the Cabinet. The number of top posts is bound to be very limited and a few persons should not have them for too long. No Government servant who is on extension of service after the prescribed date of retirement should be promoted to another post during the period of extension of service.

8. No extension of service should be considered on the ground that a suitable successor is not available unless it is established that action to select a successor had been taken well in advance but the selection could not be finalized in time for justifiable reasons. A proposal for the grant of extension of service based merely on the consideration that the specialist`s predecessor had been given extension should obviously not be accepted.

9. Re-employment: No proposal for employing a government servant beyond the age of superannuation of 60 years shall be considered. It is also clarified that no person can be appointed/re-appointed to Central Government service after the age of

superannuation of 60 years through contract.

10. Re-employment of military pensioners who have not reached the age of superannuation for Central Government employees will not be governed by these instructions.

11. Appointment of Consultant:-

Detailed instructions have been issued for appointment of consultant vide DOP&T`s Office Memorandum No.16012/7/97-Estt.(Allowance) dated 13th February, 1998.

Hindi version will follow.

(Mrs. Pratibha Mohan)
Director (E-II)

To
All Ministries/Departments of the Government of India.
(As per standard list)

ANNEXURE-I

Proforma for sending proposals for approval of Department of Personnel & Trainingfor grant of extension to Government servants beyond the age of superannuation.

1. Designation of the post :

2. Duration of the post :

3. Scale and terms of the post and perquisite attached, if any:

4. Whether financial sanction for the creation of the post/continuance of post for the duration shown at (2) has been obtained.

5. Method of recruitment:

6. Name and the terminal date of appointment of the outgoing incumbent of the post:

7. Name of the specialist proposed for appointment and the service to which he belongs:

8. Full service particulars of the Officer with date of birth and pay drawn:

9. Names of other Officers considered:

10. If promotion post, whether copies of proceedings of a D.P.C. are being enclosed? If not, why not?

11. Whether character roll of the specialist proposed and those considered are being sent. If not, why not?

12. Please indicate:

(i) (a) Whether the post is scientific or medical specialist.

(b) Periods of extension granted earlier to the officer, if any

(c) Date from which extension is to be granted.

(d) Period of extension of service .

(ii) Justification for grant of extension:

(iii) (a) The date from which it was known that vacancy would occur.

(b) Action taken to select a successor with chronological details.

(c) If selection is being made, reasons why this could not be finalised in good time.

(d) Can some officiating or ad-hoc arrangements be made, pending fresh appointment by proper selection? If not, why not?

(iv) Whether orders of the Minister-in charge have been obtained?

13. Whether the prescribed Integrity Certificate, from the appropriate authority, is enclosed.